



**Indiana
Department
of
Health**



Eric J. Holcomb
Governor

Lindsay M. Weaver, MD, FACEP
State Health Commissioner

FILED

AUG 10 2023

INDIANA STATE
ETHICS COMMISSION

July 27, 2023

Indiana State Ethics Commission
Office of the Inspector General
315 West Ohio Street, Room 104
Indianapolis, IN 46202

RE: IC 4-2-6-11 Post-employment Waiver

Indiana State Ethics Commission:

As the Appointing Authority of the Indiana Department of Health, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Ms. **Blair Viehweg** in her post-employment with the **Insurance Institute of Indiana**.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of *(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):*

IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.

IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.

To promote, protect, and improve the health and safety of all Hoosiers.

2 North Meridian Street • Indianapolis, Indiana 46204 • 317-233-1325 • health.in.gov

An equal opportunity employer.

The Indiana Department of Health is accredited by the Public Health Accreditation Board.



- IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
- IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker. *(Please provide a brief description of the specific particular matter(s) to which this waiver applies below):*
- B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.
1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

Ms. Viehweg serves as the Deputy Director of Legislative and External Affairs at the Indiana Department of Health. This position does not involve decision-making authority over contracts or rules. In this role, her responsibility has been to provide information to the leadership team to help them inform decisions, she has not had direct involvement in decision-making or policies. She serves as a messenger, ensuring that information regarding decisions and their rationale are accurately conveyed to relevant stakeholders.
 2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

The position with the Insurance Institute of Indiana includes lobbying, relationship building, attending legislative events, developing and maintaining relationships with key Indiana Department of Insurance and Family and Social Services Administration personnel, attending meetings at IDOI and FSSA, and maintaining relationships with these state agencies.



3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

The position with the Insurance Institute in Indiana will involve contact with the Indiana Department of Insurance and the Family and Social Services Administration. There is no expectation that the job will involve lobbying efforts or substantial contact with the Indiana Department of Health. Should the unlikely occasion arise when contact with the Indiana Department of Health would be involved, Ms. Viehweg understands that she would need to be screened out of any such activity by her prospective employer until the 365 day "cooling off" period would have expired.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

This role would allow Ms. Viehweg to develop relationships with key stakeholders, such as insurance providers, government agencies, and healthcare organizations. Her experience in health can bring valuable expertise to this industry. By leveraging her knowledge and skills, the new collaboration can foster effective partnerships, and enhance the overall health landscape for individual Hoosiers and their communities. Working for a trade association, such as the Indiana Insurance Institute, is a natural progression for someone who is pursuing a career in advocacy. Her knowledge and experience in this arena will help improve general understanding of public health, government-funded healthcare, and intersection with contemporary events.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

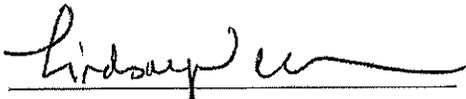
A denial would result in a substantial economic hardship. Ms. Viehweg's prospective position with the Institute offers her the opportunity to experience remarkable professional growth. There are currently no advancement opportunities at the Department that would offer Ms. Viehweg similar growth and experience.



C. Signatures

1. Appointing authority/state officer of agency

By signing below, I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.


Lindsay Weaver, MD, FACEP

7-27-23
Date

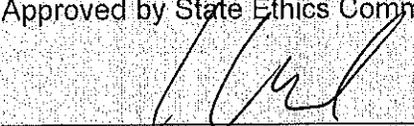
2. Ethics Officer of agency

By signing below, I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).


Erin R. Elam, JD

7-27-23
Date

D. Approval by State Ethics Commission

FOR OFFICE OF INSPECTOR GENERAL USE ONLY	
Approved by State Ethics Commission:	
	<u>8-10-23</u>
Katherine Noel, Chair, State Ethics Commission	Date